

ORDINANCE 122457

AN ORDINANCE amending Section 2.04.250 of the Seattle Municipal Code to require campaign committees to file weekly reports of deposits beginning in June of an election year instead of July, and eliminating the requirement that campaign committees file reports of deposits totaling \$500 or more the week following a general or special election.

WHEREAS, the State has moved the date of the primary election from September to August; and amended its campaign disclosure law to require campaign committees to begin filing weekly reports of deposits in June instead of July; and

WHEREAS, conforming City law to State law serves the public's interest in full and timely disclosure in the weeks before the primary election, without imposing an additional burden on campaign committees; and

WHEREAS, requiring campaign committees to file reports the week following an election imposes a burden on campaign committees that is not outweighed by any public benefit;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 2.04.250 of the Seattle Municipal Code is amended as follows:

2.04.250 Treasurer's reports -- Procedures.

A. On the day the statement of organization is required under Section 2.04.160 or Section 2.04.170 to be filed with the City Clerk, a report of all contributions received and expenditures made prior to that date shall be filed with the City Clerk. Such report of contributions and expenditures is not required if no contributions were received and no expenditures were made prior to that date.



1 B. At the following intervals each campaign treasurer shall file with the City Clerk a
2 further report of the contributions received and expenditures made since the date of the last
3 report:

4 1. On the twenty-first (21st) day and seventh (7th) day immediately preceding the date on
5 which the election is to be held; and

6 2. On the tenth (10th) day of the first (1st) month after the election; (~~provided, that this~~
7 ~~report shall not be required following a primary election from;~~

8 ~~a. A candidate whose name will appear on the subsequent general election ballot,~~

9 ~~b. Any continuing political committee; and))~~
10

11 3. On the tenth day of each month in which no other reports are required to be filed under
12 this section; provided, that such report shall only be filed if the committee has received a
13 contribution or made an expenditure in the preceding calendar month and either the total
14 contributions received or total expenditures made since the last such report exceed Two Hundred
15 Dollars (\$200);
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17 4. In the case of a City general election or a special election held in conjunction with any
18 general election, the campaign treasurer shall file a final report no later than the tenth (10th) day
19 of May after the date of the general election; and in the case of a special election that is not held
20 in conjunction with any general election, the final report shall be filed no later than the tenth
21 (10th) day of the sixth (6th) month after the date of the special election.
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23 The period for which activity shall be reported (the "reporting period") in the required
24 reports shall be as follows:
25

1 a. The report to be filed twenty-one (21) days before the election shall report all
2 contributions received and expenditures made from the closing date of the last report filed
3 through the end of the fifth (5th) business day before the date of the report.

4 b. The report to be filed seven (7) days before the election shall report all contributions
5 received and expenditures made from the closing date of the last report filed through the end of
6 one (1) business day before the date of the report.

7 c. Reports which are to be filed on the tenth (10th) day of the month shall report all
8 contributions received and expenditures made from the closing date of the last report filed
9 through the last day of the month preceding the date of the report.
10

11 C. For the period beginning the first (1st) day of the fourth (4th) month preceding the date
12 on which the special ((or general)) election is held, or for the period beginning the first day of the
13 fifth month before the date on which the general election is held, and ending on the Monday eight
14 (8) days before the date of that special or general election, the campaign treasurer or deputy
15 treasurer shall file with the City Clerk each Monday a report of each contribution deposited
16 during the previous seven (7) days. On the Monday eight (8) days before the date of the election
17 and each day thereafter until and including the date of the election, the campaign treasurer or
18 deputy treasurer shall file with the City Clerk a report of each deposited contribution on the same
19 day that the deposit is made in the campaign depository. ((On the day after the date on which the
20 general or special election is held and each day thereafter until and including the Tuesday after
21 the date of the election, the campaign treasurer or deputy treasurer shall file with the City Clerk a
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~~report of each deposited contribution on the same day that the deposit is made in the campaign depository if the contributions deposited that day total Five Hundred Dollars (\$500) or more.))~~

D. Each report filed pursuant to this section 2.04.250 shall contain (1) the name and address of each person making a contribution of more than Twenty-Five Dollars (\$25) or an aggregate of contributions totaling more than Twenty-Five Dollars (\$25) during the applicable period; (2) the dollar amount of each such contribution; (3) the aggregate contributed by each such contributor during the applicable period; and (4) the occupation and the employer's name, city and state of each individual whose aggregate contributions during the applicable period equal more than One Hundred Dollars (\$100). Contributions from any person that total Twenty-Five Dollars (\$25) or less in the applicable period may be reported by a candidate, candidate committee, ballot proposition committee or continuing political committee as a lump sum without identifying the contributor(s) by name. The campaign treasurer shall retain a copy of each report in his or her campaign records. Each record shall be certified as correct by the campaign treasurer or a deputy campaign treasurer making the deposit.

E. The campaign treasurer shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five (5) business days of receipt or expenditures. During the eight (8) days immediately preceding the date of any election for which the political committee has received any contributions or made any expenditures, the books of account shall be kept current within one (1) business day and shall be open for public inspection for at least two (2) consecutive hours Monday through Friday, excluding legal holidays between eight (8) a.m. and eight (8) p.m., as specified in the committee's statement of organization filed



1 pursuant to Section 2.04.160 at the principal campaign headquarters or, if there is no campaign
2 headquarters, at the address of the campaign treasurer or such other place as may be authorized
3 by the Administrator. The campaign treasurer or candidate shall preserve books of account, bills,
4 receipts, and all other financial records of the campaign or political committee for five (5)
5 calendar years following the year during which the transaction occurred.
6

7 F. All reports filed pursuant to this section shall be certified as correct by the candidate
8 and the campaign treasurer, except that a report reporting only a deposit may instead be certified
9 as correct by the candidate or the campaign treasurer or the deputy treasurer who made that
10 deposit.
11

12 G. Copies of all reports filed pursuant to this section shall be readily available for public
13 inspection for at least two (2) consecutive hours Monday through Friday, excluding legal
14 holidays, between eight (8) a.m. and eight (8) p.m., as specified in the committee's statement of
15 organization filed pursuant to Section 2.04.160, at the principal campaign headquarters or, if
16 there is no campaign headquarters, at the address of the campaign treasurer or other such place as
17 may be authorized by the Administrator.
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19 H. Assets may be carried into a new campaign of the same candidate for the same office
20 or disposed of in the manner provided in Section 2.04.375 B. Debt may be carried into a new
21 campaign of the same candidate for the same office, but may not be carried into a new campaign
22 of the same candidate for a different office, and may not be transferred to another candidate.
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Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 13th day of August, 2007, and signed by me in open session in authentication of its passage this 13th day of August, 2007.



President _____ of the City Council

Approved by me this 22nd day of August, 2007.



Gregory J. Nickels, Mayor

Filed by me this 22nd day of August, 2007.



City Clerk

(Seal)

Edna Shim:
June 13, 2007:
C.B. # 115920:
Version #1:

Form revised December 5, 2005

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Edna Shim (206) 684-5327	

Legislation Title:

AN ORDINANCE amending Section 2.04.250 of the Seattle Municipal Code to require campaign committees to file weekly reports of deposits beginning in June of an election year instead of July, and eliminating the requirement that campaign committees file reports of deposits totaling \$500 or more the week following a general or special election.

- **Summary of the Legislation:**

The Seattle Ethics and Elections Commission requested a change to the reporting deadlines to remain consistent and conform to the guidelines as outlined by state law.

- **Background:**

- The State of Washington has moved the date of the primary election from September to August; and amended its campaign disclosure law to require campaign committees to begin filing weekly reports of deposits in June instead of July. The City of Seattle's Ethics and Elections Commission (SEEC) felt it was in the public's best interest to conform City law to State law to provide full and timely disclosure in the weeks before the primary election without imposing an additional burden on campaign committees. SEEC also recognized that requiring campaign committee to file reports the week after an election imposes a burden on campaign committees that is not outweighed by any public benefit

- *Please check one of the following:*

 X **This legislation does not have any financial implications.**

Notes:



City of Seattle

Ethics and Elections Commission

April 6, 2007

RECEIVED
APR 10 2007
SEATTLE CITY COUNCIL

BY HAND

Councilmember Sally J. Clark
Chair, Economic Development and Neighborhoods Committee
City Hall
Seattle, WA 98104

Dear Councilmember Clark:

As the chair of the committee charged with oversight of ethics and elections, I wanted to make you aware of the upcoming expiration of two provisions of the Elections Code.

On April 9, 2001, the City Council adopted Ordinance 120321, which amended Section 2.04.370 of the Elections Code. Section 2.04.370 sets the limit for contributions to City campaigns. Ordinance 120321 added the following provision:

E. Adjustment Index.

1. In March of each even-numbered calendar year, the Commission shall promulgate a rule in accordance with Chapter 3.02 of the Seattle Municipal Code. This Rule may increase the dollar amount in subsection A based on changes in economic conditions as reflected by the Implicit Price Deflator of the United States Domestic Product as published by the United States Department of Commerce Bureau of Economic Analysis (IPD). If application of the IPD would result in a decrease in the dollar amount, the dollar amount shall remain unchanged.

2. The new dollar amounts established by the Commission shall be determined by multiplying the base amount provided in this section (Six Hundred Dollars \$600) by the percentage change in the most recently published IPD since January 1, 2000. The resulting amount shall be added to the amount derived from the multiplication of the base amount, and the amount resulting from that calculation shall be rounded to the nearest whole dollar amount that can be divided by fifty (50). In cases

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Tel: (206) 684-8500, Fax: (206) 684-8590, E-Mail: ethicsandelections@seattle.gov, Web: <http://www.seattle.gov/ethics>

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where the unrounded amount derived from this procedure is exactly Twenty-five Dollars (\$25) different from the two (2) nearest numbers evenly divisible by Fifty Dollars (\$50), the amount shall be rounded up to the next number evenly divisible by Fifty Dollars (\$50). The new dollar amount shall become effective May 1st of the even-numbered calendar year. Once adopted, any increase in the contribution limit shall be effective for all election cycles that have not ended by May 1st of that even-numbered year.

3. This subsection shall expire six (6) years after the effective date of the enabling ordinance.

On July 16, 2001, the Council adopted Ordinance 120433, which amended Section 2.04.180 of the Elections Code. Section 2.04.180 sets the limit for cash contributions to City campaigns. Ordinance 120433 added the following provision:

C. Changes in Contribution Amount.

1. In March of each even-numbered calendar year, the Commission shall promulgate a rule in accordance with Chapter 3.02 of the Seattle Municipal Code. This rule may increase the dollar amount in subsection A based on changes in economic conditions as reflected by the Implicit Price Deflator for the United States Gross Domestic Product as produced by the United States Department of Commerce Bureau of Economic Analysis ("IPD"). If application of the IPD would result in a decrease in the dollar amount, the dollar amount shall remain unchanged.

2. The new dollar amounts established by the Commission shall be determined by multiplying a base amount of Fifty-five Dollars (\$55) by the percentage change in the IPD between the base year of 2000 and the most recently published IPD. The resulting amount shall be added to the base amount, and the amount resulting shall be rounded to the nearest amount convenient for the public. Once adopted, any increase in the cash contribution limit shall be effective for all election cycles that have not ended by May 1 of that even-numbered year.

3. This subsection C shall expire six (6) years after the effective date of Ordinance 120433.

If these sections are not renewed, the contribution limit will remain at \$700, and the cash contribution limit at \$60, until and unless these limits are adjusted by ordinance. The limits will not automatically adjust in March of 2008 or in subsequent years.



Councilmember Sally J. Clark

April 6, 2007

Page 3

Please let me know if you'd like the Commission's opinion on the advisability of renewing the adjustment indices, or on any technical amendments to the indices that the Commission might recommend.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wayne Barnett", with a stylized flourish at the end.

Wayne Barnett
Executive Director

cc: Nick Licata, Council President
Seattle Ethics and Elections Commission



STATE OF WASHINGTON – KING COUNTY

--SS.

214892
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

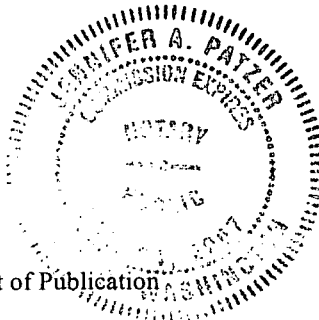
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122457 ORDINANCE

was published on

08/27/07

The amount of the fee charged for the foregoing publication is the sum of \$ 306.90, which amount has been paid in full.



Affidavit of Publication

Phil

Subscribed and sworn to before me on

08/27/07

Jennifer A. Payer
Notary public for the State of Washington,
residing in Seattle

City of Seattle

ORDINANCE 122457

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B. At the following intervals each campaign treasurer shall file with the City Clerk a further report of the contributions received and expenditures made since the date of the last report:

1. On the twenty-first (21st) day and seventh (7th) day immediately preceding the date on which the election is to be held; and

2. On the tenth (10th) day of the first (1st) month after the election; provided, that this report shall not be required following a primary election from:

a. A candidate whose name will appear on the subsequent general election ballot;

b. Any continuing political committee; and

3. On the tenth day of each month in which no other reports are required to be filed under this section; provided, that such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed Two Hundred Dollars (\$200);

4. In the case of a City general election or a special election held in conjunction with any general election, the campaign treasurer shall file a final report no later than the tenth (10th) day of May after the date of the general election; and in the case of a special election that is not held in conjunction with any general election, the final report shall be filed no later than the tenth (10th) day of the sixth (6th) month after the date of the special election.

The period for which activity shall be reported (the "reporting period") in the required reports shall be as follows:

a. The report to be filed twenty-one (21) days before the election shall report all contributions received and expenditures made from the closing date of the last report filed through the end of the fifth (5th) business day before the date of the report.

b. The report to be filed seven (7) days before the election shall report all contributions received and expenditures made from the closing date of the last report filed through the end of one (1) business day before the date of the report.

c. Reports which are to be filed on the tenth (10th) day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the report.

State of Washington, King County

C. For the period beginning the first (1st) day of the fourth (4th) month preceding the date on which the special or general election is held, or for the period beginning the first day of the fifth month before the date on which the general election is held, and ending on the Monday eight (8) days before the date of that special or general election, the campaign treasurer or deputy treasurer shall file with the City Clerk each Monday a report of each contribution deposited during the previous seven (7) days. On the Monday eight (8) days before the date of the election and each day thereafter until and including the date of the election, the campaign treasurer or deputy treasurer shall file with the City Clerk a report of each deposited contribution on the same day that the deposit is made in the campaign depository. On the day after the date on which the general or special election is held and each day thereafter until and including the Tuesday after the date of the election, the campaign treasurer or deputy treasurer shall file with the City Clerk a report of each deposited contribution on the same day that the deposit is made in the campaign depository if the contributions deposited that day total Five Hundred Dollars (\$500) or more.

D. Each report filed pursuant to this section 2.04.250 shall contain (1) the name and address of each person making a contribution of more than Twenty-Five Dollars (\$25) or an aggregate of contributions totaling more than Twenty-Five Dollars (\$25) during the applicable period; (2) the dollar amount of each such contribution; (3) the aggregate contributed by each such contributor during the applicable period; and (4) the occupation and the employer's name, city and state of each individual whose aggregate contributions during the applicable period equal more than One Hundred Dollars (\$100). Contributions from any person that total Twenty-Five Dollars (\$25) or less in the applicable period may be reported by a candidate, candidate committee, ballot proposition committee or continuing political committee as a lump sum without identifying the contributor(s) by name. The campaign treasurer shall retain a copy of each report in his or her campaign records. Each record shall be certified as correct by the campaign treasurer or a deputy campaign treasurer making the deposit.

E. The campaign treasurer shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five (5) business days of receipt or expenditures. During the eight (8) days immediately preceding the date of any election for which the political committee has received any contributions or made any expenditures, the books of account shall be kept current within one (1) business day and shall be open for public inspection for at least two (2) consecutive hours Monday through Friday, excluding legal holidays between eight (8) a.m. and eight (8) p.m., as specified in the committee's statement of organization filed pursuant to Section 2.04.160 at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer or such other place as may be authorized by the Administrator. The campaign treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for five (5) calendar years following the year during which the transaction occurred.

F. All reports filed pursuant to this section shall be certified as correct by the candidate and the campaign treasurer, except that a report reporting only a deposit may instead be certified as correct by the candidate or the campaign treasurer or the deputy treasurer who made that deposit.

G. Copies of all reports filed pursuant to this section shall be readily available for public inspection for at least two (2) consecutive hours Monday through Friday, excluding legal holidays, between eight (8) a.m. and eight (8) p.m., as specified in the committee's statement of organization filed pursuant to Section 2.04.160, at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer or other such place as may be authorized by the Administrator.

H. Assets may be carried into a new campaign of the same candidate for the same office or disposed of in the manner provided in Section 2.04.375 B. Debt may be carried into a new campaign of the same candidate for the same office, but may not be carried into a new campaign of the same candidate for a different office, and may not be transferred to another candidate.

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 13th day of August, 2007, and signed by me in open session in authentication of its passage this 13th day of August, 2007.

Nick Licata

President of the City Council

Approved by me this 22nd day of August, 2007.

Gregory J. Nickels, Mayor

Filed by me this 22nd day of August, 2007.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, August 27, 2007.

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